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March 5, 2025

VIA ECF FILING

The Honorable James R. Cho
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Allstate Insurance Company. et al. v. Landow, et al.
C.A. No. 1:24-cv-02010-DLI-JRC (E.D.N.Y.)
Letter Motion to Compel Subpoena Response

Dear Magistrate Judge Cho:

Plaintiffs, Allstate Insurance Company and its affiliates (“Allstate”) write pursuant to Section F.4 of Your Honor’s Individual Rules to seek an order compelling the non-party, Four Square Physical Therapy, P.C. (“Four Square”), to respond within ten (10) days to the subpoena *duces tecum* that was issued more than four (4) months ago, on October 31, 2024. Allstate sent a deficiency letter to Four Square on January 8, 2025, requesting production of the documents requested in the October 31, 2024 subpoena *duces tecum*. Four Square has not responded to Allstate’s request or produced any documents to date. Accordingly, Four Square should be compelled to fully respond to Allstate’s subpoena *duces tecum*.

On October 31, 2024, Allstate issued a subpoena *duces tecum* to Four Square (hereinafter, “Allstate’s Subpoena”). A copy of the Affirmation of Service as to Allstate’s Subpoena, demonstrating that Allstate’s Subpoena was properly served on November 1, 2024, is attached hereto at **Exhibit A**. Per the records maintained by the New York Department of State, Division of Corporations, Four Square accepts service of process on the Secretary of State. Four Square’s corporate records maintained by the New York Department of State, Division of Corporations, reflecting the address for process of service utilized in Allstate’s Subpoena, are attached hereto at **Exhibit B**.

Allstate’s Subpoena seeks production of lease, sublease, or license agreements between Four Square and the Defendants, as well as communications regarding any such lease, sublease, or license agreements. These agreements are pertinent to the allegations asserted in Allstate’s Complaint, and may be significant to the ongoing resolution of this matter.

After receiving no response from Four Square by the November 21, 2024 due date, counsel for Allstate sent correspondence to Four Square via first-class mail to inquire as to the deficient response. A copy of Allstate’s deficiency letter, sent on January 8, 2025, is attached hereto at **Exhibit C**. To date, Four Square has not contacted Allstate to request an extension, or to produce documents that are responsive to Allstate’s Subpoena.



It has now been 124 days since Allstate's Subpoena was properly served upon Four Square, and Four Square has not produced any responsive documents. Given the delays documented herein and the importance of the documents and information that have been requested, the Plaintiffs submit the subject correspondence to respectfully request that this Honorable Court compel Four Square to respond to Allstate's Subpoena.

Should Your Honor have any questions, please do not hesitate to contact the undersigned. Thank you for your time and attention to this matter.

Respectfully submitted,

/s/ Hugh C.M. Brady, Esq.

Hugh C.M. Brady, Esq.
Counsel for Allstate

cc: Four Square Physical Therapy, P.C. (via UPS overnight mail)
All parties (via ECF filing only)